

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

LUIS CRUZ, #82311-004

PETITIONER

VERSUS

CIVIL ACTION NO. 5:14-cv-48-DCB-MTP

ERIC HOLDER, Attorney General;  
CHARLES E. SAMUELS, JR.,  
Director of Bureau of Prisons;  
BARBARA WAGNER, Warden,  
Adams County Correctional Center,  
Natchez, Mississippi<sup>1</sup>

RESPONDENTS

ORDER

This matter is before the Court, *sua sponte*. The proper party respondent in a habeas petition is the petitioner's custodian. *See* 28 U.S.C. § 2243. Thus, the proper respondent in this civil habeas action is Barbara Wagner, Warden of Adams County Correctional Center.

Having reviewed the petition, this Court finds that along with naming Barbara Wagner, petitioner's custodian, as a respondent, the petitioner has also named Eric Holder and Charles E. Samuels, Jr. as respondents. Therefore, it is

ORDERED that the Clerk is directed to dismiss Eric Holder and Charles E. Samuels, Jr. as respondents in the instant civil action.

IT IS FURTHER ORDERED that the Clerk correct the spelling of Respondent Barbara Wagner's first name.

This the 15th day of July, 2014.

s/David Bramlette

UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The Court finds that the Plaintiff refers to Defendant Warden "Barbra" Wagner in his pleadings. The Court takes notice that the correct spelling of the Warden's name is "Barbara," as provided by the Adams County Correctional Center - CCA website. This order refers to this respondent with the correct spelling of her name.